

REMARKS

Claims 7, 8, 15 and 17-21 are pending in this application. By this Amendment, claim 7 is amended, and claims 18-21 are added. Support for the amendment to claim 7 can be found, for example, in paragraph [0054] of the application. New claims 18-21 are based upon claims 7, 8, 15 and 17, respectively, except that new claim 18 omits the contact interface of claim 7. No new matter is added.

Applicants appreciate the courtesies shown to Applicants' representative by Examiner Best in the January 4, 2012 telephone interview. Applicants' separate record of the substance of the interview is incorporated into the following remarks.

The Office Action rejects claims 7, 8, 15 and 17 under 35 U.S.C. §103(a) over Sterzel (U.S. Patent No. 4,828,941) in view of Jaouen (U.S. Patent Application Publication No. 2004/0028992). Applicants respectfully traverse the rejection.

Claim 7 recites "the cathode catalyst layer does not contain a cation exchange resin." As discussed during the telephone interview, one of ordinary skill in the art would have included a cation exchange resin in a cathode catalyst layer based upon the teachings of Jaouen. See Jaouen at paragraphs [0007] and [0008]. Therefore, the combination of Sterzel and Jaouen fail to disclose, and would not have rendered obvious, all of the features of claim 7.

Claims 8, 15 and 17 are patentable by reason of their dependence from independent claim 7, as well as for the additional features they recite. Applicants respectfully request withdrawal of the rejection.

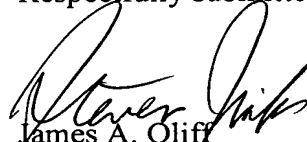
New claims 18-21 are also patentable. Claim 18 recites "the cathode catalyst layer does not contain a cation exchange resin." Thus, claim 18 is patentable at least for the reasons discussed above with respect to claim 7.

Claims 19-21 are patentable by reason of their dependence from claim 18, as well as for the additional features they recite.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,


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Attachment:
Petition for Extension of Time

Date: January 19, 2012

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